

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

NOT FOR PUBLICATION

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UNITED STATES OF AMERICA,

- against -

ORDER

07-CR-69 (JG)

DAVID HEYMAN,

Defendant.

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JOHN GLEESON, United States District Court:

My order dated December 19, 2007 was intended to facilitate communication between defendant David Heyman's father, Dr. Heyman, and the orthopedic surgeon, Dr. Appel, both before and immediately after the defendant's surgery. The surgery took place on December 20, 2007.

In a letter dated January 28, 2008, the government informs the Court that Dr. Heyman continues to call the BOP and Dr. Appel to check on his son's recovery. The government requests that I issue an order directing Dr. Heyman to cease calling FCI Otisville and Dr. Appel about the defendant's medical condition. That application is denied.

However, the purpose of my December 19, 2007 order having been fulfilled, it is hereby vacated as moot. It therefore no longer constrains the BOP from following its regulations and practices concerning the communication between interested parties and the medical professionals who provide treatment to inmates.

So ordered.

John Gleeson, U.S.D.J.

Dated: January 30, 2008
Brooklyn, New York